WC 05-105



205 WEST WACKER DRIVE, SUITE 2333 CHICAGO, ILLINOIS 60606 312/658-1056 (V) 312/658-5487 (F)

MAR 1 0 2005

March 9, 2005

Federal Communications Commission Wireline Competition Bureau – CPD – 214 Appls. P.O. Box 358145 Pittsburgh, PA 15251-5145

RE: Cleartel Communications, Inc.

Section 63.71 Application to Discontinue Domestic Telecommunications Services

Dear Sir or Madam:

Enclosed are an original and four copies of Cleartel Communications, Inc.'s ("Cleartel") Section 63.71 Application to Discontinue Domestic Telecommunications Services.

Also enclosed is a completed Form 159 and a check in the amount of \$895.00 (Payment Code: CUT) to cover the filing fees for the Application.

A duplicate of this transmittal letter is enclosed to be stamped "received" and returned to my attention using the self-addressed, stamped envelope also provided herein.

If you have any questions concerning this matter, please do not hesitate to contact me.

Sincerely

Scott Kellogg

Enclosures

cc Secretary Marlene H. Dortch

BEFORE THE FEDERAL COMMUNICATIONS COMMISSION WASHINGTON, D.C.

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In the Matter of)	
)	
Cleartel Communications, Inc.	ý	
·	Ś	WC Docket No. 05-
Section 63.71 Application to Discontinue	Ś	
Domestic Telecommunications Services	Ś	

SECTION 63.71 APPLICATION

Cleartel Communications, Inc. ("Cleartel"), in accordance with 47 CFR 63.71 of the Federal Communications Commission's ("Commission") rules, hereby requests authority to discontinue the provision of domestic telecommunications services to customers located in the State of New York.

In support of this application, Cleartel submits the following pursuant to 47 CFR 63.71(b):

1. The Applicant's name and address are:

Cleartel Communications, Inc. 205 West Wacker Drive, Suite 2333 Chicago, IL 60606

- 2. The proposed date of the discontinuance is April 15, 2005.
- 3. The geographic area of service affected is in the Western portion of the State of New York.
- 4. Cleartel currently provides DSL services for data only (non-voice) internet access to approximately 40 residential and small business customers in the affected area. Cleartel services these customers using the underlying network of Choice One Communications. Accordingly, Cleartel is not the provider of last resort to the affected customers, and is advising such affected customers of the availability of alternate DSL service in the area.
- 5. The discontinuance of DSL service proposed in this Application concerns <u>only</u> this dwindling minor fraction of Cleartel's greater customer base (who receive a variety of local and long distance telecommunications services). Cleartel has determined that it is no longer economically viable to

continue providing DSL services to this shrinking pool of affected customers. Cleartel will continue providing other telecommunications services in the State of New York and elsewhere following the discontinuance of DSL services proposed in this Application. Cleartel is not discontinuing any other services in any other state.

- 7. Cleartel has sent notice to all affected customers via first class U.S. Mail, postmarked March 9, 2005. A copy of the notice, consistent with the Commission's rules, is enclosed as Exhibit A.
 - 8. Cleartel is considered non-dominant with respect to the services to be discontinued.

WHEREFORE, Cleartel respectfully requests that the Commission grant this Section 63.71 Application, and thereby grant Cleartel the authority to discontinue the provision of DSL to customers in Western New York pursuant to 47 CFR 63.71.

Respectfully submitted this 9th day of March 2005.

CLEARTEL COMMUNICATIONS, INC.

Scott Kellogg

Cleartel Communications, Inc.

205 West Wacker Drive, Suite 2333 Chicago, Illinois 60606

Telephone: (312) 658-1056 Facsimile: (312) 658-5487

Its Attorney

EXHIBIT A CUSTOMER NOTICE



TERMINATION OF SERVICE PLEASE REVIEW THIS NOTICE IMMEDIATELY

March 9, 2005

Dear Customer,

We regret to inform you that, as of April 15, 2005, Cleartel Communications will no longer offer DSL/Internet service in your area. We recognize that you are a valued client and have placed your confidence in us, and we would like to offer your business an easy solution for moving to a new provider.

Choice One Communications, a current business partner of Cleartel Communications, has been chosen as a <u>preferred alternate service provider</u>. Choice One Communications provides facilities-based telecommunications solutions, to more than 100,000 clients in 29 Northeast and Midwest markets. Choice One offers a premier level of client support, along with their competitively priced voice and Internet products. Also, should you decide to migrate your current Cleartel DSL service to Choice One, standard installation fees will be waived.

Choice One has made special arrangements to help expedite your migration to their service. For your initial consultation, please call 800-525-2515 and identify yourself as a current Cleartel client. Choice One representatives are waiting to assist you.

Please note, we have applied to the Federal Communications Commission for authority to discontinue this service. The FCC will normally authorize the proposed discontinuance of service unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments within 15 days after receipt of this notification. Address them to the Federal Communications Commission, Washington, DC 20554, referencing the Sec. 63.71 Application of Cleartel. Comments should include specific information about the impact of this proposed discontinuance upon you or your company, including any inability to acquire reasonable substitute service.

Please keep in mind, any other services provided by Cleartel Communications will not be affected by this change. We look forward to continuing to meet your other telecommunication needs, and we will provide whatever assistance necessary to ensure a smooth transition of your DSL/Internet service to Choice One. If you should have any questions about your DSL service or any other services provided by Cleartel please call 888-389-1400 and chose "1" for technical support.

Sincerely,

Cleartel Communications